

SENATE EDUCATION COMMITTEE

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2908*

House Bill No. 2712

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting Section 1 of the printed bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, is amended by adding the following as a new, appropriately designated section:

Section 49-5-____. (a) Notwithstanding the provisions of any law, policy, or guideline to the contrary, a local board of education or a governing board for a non-public school may permit an employee or a person under contract to the board to assist in self-administration of oral medication, under the following conditions:

- (1) The student must be competent to self-administer non-prescription and prescription oral medication with assistance;
- (2) The student's condition, for which oral medication is authorized and/or prescribed, must be stable;
- (3) The self-administration of the oral medication must be properly documented;
- (4) Guidelines, not inconsistent with this section, for the assistance in self-administration of non-prescription and/or prescription oral medication by personnel in the school setting, developed by the departments of health and education and approved by the board of nursing, must be followed; and
- (5) The student's parent or guardian must give permission in writing for school personnel to assist with self-administration of oral

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medication. Such written permission shall be kept in the student's school records.

(b) Health care procedures including administration of medications to students during the school day or at related events shall be performed by appropriately licensed health care professionals in accordance with applicable guidelines of their respective regulatory boards and in conformity with policies and rules of local boards of education or governing boards of non-public schools. The student's parent or guardian must give permission in writing for appropriately licensed health care professionals to perform health care procedures and administer medications. Such written permission shall be kept in the student's school records.

(c) Any person supervising or assisting in self-administration of medication or performing health care procedures including administration of medications under this section and any local board of education or governing board for a non-public school authorizing the same shall not be liable in any court of law for injury resulting from the reasonable and prudent assistance in the self-administration of such medication or the reasonable performance of the health care procedures including administration of medications, if performed pursuant to the policies and guidelines developed by the applicable regulatory and/or governing boards or agencies.